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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,661	01/23/2004	Norito Watanabe	83394.0022	8540
26021	7590	07/16/2007		
HOGAN & HARTSON L.L.P. 1999 AVENUE OF THE STARS SUITE 1400 LOS ANGELES, CA 90067			EXAMINER DARNO, PATRICK A	
			ART UNIT 2163	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/763,661	Applicant(s) WATANABE ET AL.	
	Examiner Patrick A. Darno	Art Unit 2163	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>01232004</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-20 are pending in this office action.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2, 4-8, 10, and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 2, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Appropriate correction is required.

Claims 4-8, 10, and 12 are rejected because the claims either inherit or contain the deficiencies of claim 2.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 17 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Specifically, claim 17 is directed to a computer program that is not embodied on a computer readable medium. A computer program product that is not embodied on an acceptable computer readable medium is nothing more than an abstract idea. When the computer program

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product is recorded on an acceptable computer readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the computer program product to be realized. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 5, 7-11, 13, and 15-20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication Number 2004/0167921 issued to Dwayne A. Carson et al. (hereinafter “Carson”).

**Claim 1:**

Carson discloses a document management method comprising:

a process of generating a task information package datum as a set of data in order to manage information of referred documents and created documents in compiling a new document necessary for carrying out a task (*Carson: paragraph [0014] and paragraph [0018] and paragraph [0023] and paragraph [0030], lines and 10-16 and paragraph [0032] and paragraph [0034]; As stated in the Applicant's specification, a task information package datum is simply a set of data which is generated in order to manage information of referred documents and created documents in compiling a new document (Applicant's Specification: abstract and paragraph [0006]). One can clearly see that the data gathered to generate the document distribution*

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*path satisfies these criteria because the data used to construct the document distribution path helps the system manage and maintain referenced documents and created documents (Carson: paragraph [0030]; Note specifically, the Document Distribution Path is typically implemented as a directed graph where the vertices represent documents and edges describe historic relationships between documents.). Furthermore, this data is managed while compiling a new document (Carson: paragraph [0034], lines 8-19).)*

*a process of storing said task information package datum in one or more data bases (Carson: paragraph [0022], lines 12-13 and paragraphs [0033] – [0034]), and*

*a process of presenting relevant information as a graphical chart that shows relational linkage among plural documents in a manner of reference to other documents wherein said reference is recorded in said task information package datum (Carson: paragraphs [0047] – [0049] and paragraph [0023] and paragraph [0014] and Figs. 2 and 3).*

**Claim 2:**

Carson discloses all the elements of claim 1, as noted above, and Carson further discloses wherein:

*information of referred documents (Carson: Fig. 3; Note the 'Filed ID From' column. This column lists a previous version of a documents which is now effectively a reference document.), compiled documents (Carson: Fig. 3; Note the 'File ID To' column. This column lists a newly compiled version which was compiled based upon a previous version.) and comment information (Carson: Fig. 3; Note the 'Operation' column. This column clearly lists a comment describing what occurred during document compilation.) such as knowledge and finding obtained in carrying out said task are recorded in said process of generating a task information package datum (Carson: paragraph [0024] and paragraph [0050]).*

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**Claim 3:**

Carson discloses all the elements of claim 1, as noted above, and Carson further discloses wherein:

icons to present documents (*Carson: Fig. 2; Note icons representing 'Doc A', 'Doc A'', etc.) and arrows to present referenced documents and compiled documents (Carson: Fig. 2; Note the Arrows which connect various reference documents and compiled documents in order to construct the Document Distribution Path (DDP). DDP is a directional graph representing the relationships between a document and the document's history.) are used in said process of presenting relevant information as a graphical chart (Carson: Fig. 2 and paragraph [0014]).*

**Claim 5:**

Carson discloses all the elements of claim 2, as noted above, and Carson further discloses wherein:

said process of generating a task information package datum includes a process to record at least one of information among a name of a writer (*Carson: paragraph [0040]; Note the data contains user identification.*), date of compilation (*Carson: paragraph [0038] - [0043]; Note the data contains a variety of start times and end times for different tasks.*), a subject of a task (*Carson: Fig. 3; Note the operation column.*) and a process name (*Carson: Fig. 3; Note the operation column.*) of said task as index information therein (*Carson: paragraph [0032] and paragraph [0037] and paragraphs [0069] – [0078]; Note that the 'document chunks' are used to generate a clusters and indices. Furthermore, the 'document chunks' may include data such as those listed above in the rejection of claim 5.*).

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**Claim 7:**

Carson discloses all the elements of claim 5, as noted above, and Carson further discloses wherein:

said index information is set by using information of a system which manages process of said task (*Carson: paragraphs [0069] – [0078]*).

**Claim 8:**

Carson discloses all the elements of claim 5, as noted above, and Carson further discloses wherein:

said process of presenting relevant information as a graphical chart works for processing to present only relevant information given in said index information (*Carson: Fig. 2 and paragraph [0014], lines 6-11; One would assume that only relevant information is reported.*).

**Claim 9:**

Claim 9 is rejected under the same reasons set forth in the rejection of claim 1.

**Claim 10:**

Claim 10 is rejected under the same reasons set forth in the rejection of claim 2.

**Claim 11:**

Claim 11 is rejected under the same reasons set forth in the rejection of claim 3.

**Claim 13:**

Claim 13 is rejected under the same reasons set forth in the rejection of claim 5.

**Claim 15:**

Claim 15 is rejected under the same reasons set forth in the rejection of claim 7.

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**Claim 16:**

Claim 16 is rejected under the same reasons set forth in the rejection of claim 8.

**Claim 17:**

Carson discloses a computer software program that allows a computer to execute said document management method defined in claim 1 (*see rejection of claim 1 and Carson: paragraph [0014]*).

**Claim 18:**

Carson discloses a computer readable medium that records said computer software program which allows a computer to execute said document management method defined in claim 1 (*see rejection of claim and Carson: paragraph [0014]*).

**Claim 19:**

Carson discloses an information management method comprising:

a process to manage a package information that consolidates text information and linkage information showing a relational linkage thereof to external files (*Carson: paragraph [0014] and paragraph [0018] and paragraph [0023] and paragraph [0030], lines and 10-16 and paragraph [0032] and paragraph [0034]*), and

a process to obtain a candidate information to be recorded in said package information from progress of task, comment information and said external files (*Carson: paragraph [0014] and paragraph [0018] and paragraph [0023] and paragraph [0030], lines and 10-16 and paragraph [0032] and paragraph [0034] and Figs. 2 and 3*).

**Claim 20:**

Carson discloses all the elements of claim 19, as noted above, and Carson further discloses:



a process to manage updated information as historical data in a manner of said package information (*Carson: paragraph [0014] and paragraph [0030] and paragraph [0034]*), and

a process to present at least one of tasks, names of writers, indices and versions after obtaining relational linkages of documents over a group of said package information (*Carson: paragraph [0014], lines 6-11 and Figs. 2-3 and paragraphs [0038] - [0043]*).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carson and further in view of U.S. Patent Number 6,865,713 issued to Cary Lee Bates et al. (hereinafter "Bates").

#### **Claim 4:**

Carson discloses all the elements of claim 2, as noted above, and Carson further discloses:

icons to present documents and arrows to present referenced documents and compiled documents are used in said process of presenting relevant information as a graphical chart (*Carson: Fig. 2 and paragraph [0014]*). Carson does not explicitly disclose a process to present a pop up window to present said comment information is included in said process of presenting relevant information as a graphical chart.

However, Bates discloses a process to present a pop up window to present said comment information is included in said process of presenting relevant information as a graphical chart  
(Bates: see at least column 12, lines 28-47).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Carson with the teachings of Bates noted above. The skilled artisan would have been motivated to improve the teachings of Carson per the above because the displayed comment may indicate additional useful information about the document to the user, helping the user to decide whether or not to retrieve and/or modify a desired document (Bates: column 3, lines 16-31).

**Claim 12:**

Claim 12 is rejected under the same reasons set forth in the rejection of claim 12.

6. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carson and further in view of U.S. Patent 5,905,980 issued to Hiroshi Masuichi et al. (hereinafter “Masuichi”).

**Claim 6:**

Carson discloses all the element of claim 5, as noted above, but Carson does not explicitly disclose wherein:

said index information is obtained by morphological analysis which is applied to sentences described in said referred documents, said created documents and said comment information with a profession word dictionary which manages technical terms.

However, Masuichi discloses wherein said index information is obtained by morphological analysis which is applied to sentences described in said referred documents, said

created documents, and said comment information with a profession word dictionary which manages technical terms (*Masuichi: column 10, lines 5-25 and column 12, lines 1-16*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Carson with the teachings of Masuichi noted above. The skilled artisan would have been motivated to improve the teachings of Carson per the above such that all possible words generated from a particular word stem can be considered in the index of a document.

**Claim 14:**

Claim 14 is rejected under the same reasons set forth in the rejection of claim 6.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick A. Darno whose telephone number is (571) 272-0788. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

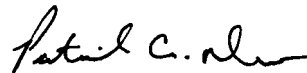
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

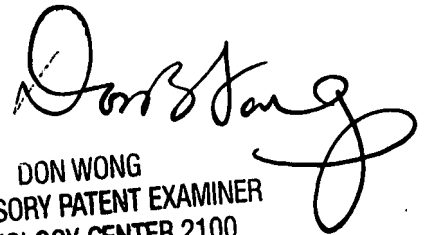
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like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Patrick A. Darno  
Examiner  
Art Unit 2163



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